

South Australia

# Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017

under the *Planning, Development and Infrastructure Act 2016*

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## Legislative history

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### 1—Short title

These regulations may be cited as the *Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017*.

### 3—Interpretation

In these regulations, unless the contrary intention appears—

*Act* means the *Planning, Development and Infrastructure Act 2016*.

### 4—Greater Adelaide

Until the first proclamation is made under section 5 of the Act, a reference to Greater Adelaide in the Act will be taken to be a reference to Greater Adelaide as described in section 5(2) of the Act.

### 5—Transitional provisions relating to extension of operation of section 7 under repealed Act

- (1) For the purposes of clause 5(4)(d) of Schedule 8 of the Act, the following transitional provisions will apply on account of the commencement of section 7 of the Act on 1 April 2017 and in relation to the application of section 7 as if it formed part of the repealed Act:
  - (a) a reference in section 7 to a relevant authority will be taken to be a reference to a relevant authority under the repealed Act;
  - (b) a reference in section 7 to a development authorisation will be taken to be a reference to a development authorisation under the repealed Act;
  - (c) a reference to the Commission being a relevant authority will be taken to be a reference to the Development Assessment Commission, subject to the operation of clause 6 of Schedule 8 of the Act.

- (2) Schedule 7 of the Act will apply in relation to the operation of section 7 of the Act as it applies under the repealed Act on account of the commencement of that section and the operation of clause 5(4)(c) of Schedule 8 of the Act.
- (3) In connection with the operation of subregulation (2), a reference in Schedule 7 of the Act to a development authorisation will be taken to include a reference to a development authorisation under the repealed Act.

#### **6—Transitional provisions relating to development assessment panels under repealed Act**

- (1) Subject to subregulation (2), on and after 1 October 2017 (being the designated day for the purposes of clauses 12 and 13 of Schedule 8 of the Act), a council development assessment panel or a regional development assessment panel constituted under the repealed Act (and in existence immediately before 1 October 2017) will no longer act under the repealed Act.
- (2) If a council has not, immediately before 1 October 2017, appointed an assessment panel envisaged by clause 12(1) of Schedule 8 of the Act, the council's development assessment panel constituted under the repealed Act may continue to act until the Minister constitutes a local assessment panel under clause 12(3) of Schedule 8 of the Act.

## Legislative history

### Notes

- Variations of this version that are uncommenced are not incorporated into the text.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or [www.legislation.sa.gov.au](http://www.legislation.sa.gov.au).

### Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
2017	25	<i>Gazette 28.3.2017 p979</i>	1.4.2017: r 2
<b>2017</b>	<b>210</b>	<b><i>Gazette 1.8.2017 p3058</i></b>	<b>1.10.2017: r 2</b>
2019	17	<i>Gazette 28.2.2019 p713</i>	1.7.2019: r 2
2019	174	<i>Gazette 27.6.2019 p2550</i>	1.7.2019 immediately after 17/2019: r 2

### Provisions varied

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
<i>r 2</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	<i>1.10.2017</i>
r 6	inserted by 210/2017 r 4	1.10.2017